

REMARKS

Claim 1 was rejected under the judicially created doctrine of obviousness double patenting over claim 2 of U.S. Patent No. 6,534,099. Claims 1-3 and 5 were rejected similarly over claims 1-6, 14-20, 24-26 of U.S. Patent No. 6,531,163. The Official Action notes that a timely filed Terminal Disclaimer may overcome this type of rejection. Accordingly, enclosed herewith is a Terminal Disclaimer and a Certificate Under 37 C.F.R. §3.73(b), both signed by the attorney of record.

Accordingly, allowance of claims 1-3 and 5 is respectfully requested.

The Office Action Summary (PTOL-326) notes that claims 4, 6 and 7 were objected to. In a telephone conversation with Examiner Levy on November 4, 2003, it was noted that there is no discussion concerning claims 4, 6 and 7. The Examiner stated that claim 7 was allowable and claims 4 and 6 would be allowable if amended to incorporate all the limitations of the base claim and any intervening claims.

Accordingly, claim 5 has been amended to incorporate claim 1 from which claim 5 was dependent. Claim 6, dependent on claim 5, has not been further amended because it no longer depends from a rejected base claim.

Allowance of claims 4, 6 and 7 is respectfully requested.

It appears that all matters have been addressed satisfactorily, and that the case is now in condition for a complete allowance; and the same is respectfully urged.

However, if the Examiner has any comments or questions, or has any suggestions as per MPEP 707.07 (d) and (j), for putting the case in condition for final allowance, he is respectfully

urged to contact the undersigned attorney-of-record at the telephone number below, so that an expeditious resolution may be effected and the case passed to issue promptly.

Respectfully submitted,

Date Jan 20, 2004

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CERTIFICATE OF TRANSMITTAL

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Enclosure

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